

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Indira Bowen, Individually, and INDIRA
BOWEN, on behalf of her minor
children, RAYLYN FAIRCLOUGH and
MIA BOWEN,

Plaintiffs,

v.

THE COUNTY OF WESTCHESTER,
TOWN OF GREENBURGH, POLICE
OFFICERS JOHN DOES 1-10, in their
individual and official capacities,

Defendants.

Civil Action No.: 07 CIV 6277 (KMK-LMS)

CIVIL CASE MANAGEMENT PLAN

1. The case is to be tried to a jury:
2. Initial disclosures pursuant to Fed.R.Civ.P. 26(a)(1) have been exchanged *or* shall be exchanged by _____, which is within thirty (30) days after service on the last defendant to be served.
3. No additional parties may be joined after December 31, 2007.
4. No pleading may be amended after February 29, 2008.
5. All discovery, *including expert discovery*, must be completed on or before July 31, 2008. (For personal injury, civil rights, employment discrimination or medical malpractice cases only): Plaintiff's deposition shall be taken first, and shall be completed by January 31, 2008. (In other types of cases the depositions will proceed in whatever order they are notice and there is not requirement for plaintiff's deposition to take first). PLEASE NOTE: the phrase "all discovery, including expert discovery" means that the parties must select and disclose their experts' identities and opinions, as required by Fed.R.Civ.P.26(a)(2)(B), *well before* the

expiration of the discovery period. Expert disclosures conforming with Rule 26 of all information except the expert reports must be made no later than April 30, 2008, and will be made simultaneously. Disclosures of the expert reports must be made no later than May 31, 2008. Expert depositions must be completed by June 30, 2008. Supplemental expert reports, if any, must be exchanged no later than July 31, 2008.

6. The following discovery is necessary in order for the parties to be able to consider settlement prior to the completion of all discovery: initial disclosures, answers to initial interrogatories, responses to initial demands for production of documents, and it will be completed no later than December 31, 2007, after which the parties may request a settlement conference.

7. Any *in Limine* motions, as well as proposed *voir dire* questions and proposed jury instructions, shall be served and filed no later than 60 days after the close of discovery. No pretrial order will be required unless specifically ordered by the Court.

8. No motion for summary judgment may be served after the date the pre-trial submissions are due. *The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pre-trial submissions on the assigned date in the absence of an Order providing such relief.* Any opposition to a summary judgment motion shall be served and filed no later than 10 days after a service of the motion; reply papers, if any, shall be served and filed no later than 10 days after the service of the opposition. Page limits for such motions are governed by the designated Magistrate Judge's individual practices.

9. Discovery disputes will be resolved under the White Plains Magistrate Judges' standard Discovery Order. The existence of a discovery dispute will not result in any extension of the discovery deadline or trial-ready date.

10. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the time this order is entered. Counsel should not assume that extensions will be granted as a matter of routine.

11. Counsel must confer about the prospect of consenting to the jurisdiction of the designated Magistrate Judge for all purposes, including trial, pursuant to 28 U.S.C. §636(c). If the parties consent, than all proceedings, including trial, will take place before the designated Magistrate Judge. Consent forms for this purpose are available on the Court's website, and consent may occur at any time during the proceedings.

SO ORDERED:

DATED: _____

White Plains, New York

United States Magistrate Judge